

Shawn Talbot Rice
PO Box 700#81
Yavapai county
Ash Fork 86320
Arizona
In Propria Persona

FILED
FILED & SERVED ON
2009 OCT -1 A 9:57
U.S. DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,) Case No.: 2:09-CR-078
vs.)
SAMUEL DAVIS and) **NOTICE OF TERMINATION OF**
SHAWN RICE,) **STANDBY COUNSEL FOR CAUSE**
Defendants.)
SHAWN RICE,)
Counter-Plaintiff/Claimant,)
vs.)
UNITED STATES OF AMERICA,)
INTERNATIONAL MONETARY FUND)
(I.M.F.) A/K/A THE FUND, FEDERAL)
BUREAU OF INVESTIGATION, and THEIR)
PRINCIPAL,)
Counter-defendants/Libelants,)
Shawn Rice, Real Party in Interest, Third Party)
Intervener, Protected Creditor to Plaintiff by)
revesting title, Sovereign without subjects,)
Protected Creditor pursuant to UCC 8, Trust)
Interest Holder, and Beneficial Owner of the)
Estate by Statute Merchant, and a Title 18)
Section 245 Federally Protected Legal &)
Lawful Municipality.)

Real Party in Interest (RPII) appears specially and not generally and NOTICES THE
COURT that the agreement entered by RPII to have Michael Kimbrell, Esq. operate as standby
counsel is hereby terminated on the following grounds.

1 When RPII met with the court in July 2009 RPII asked Kimbrell whether he had read any
2 of the documents filed by RPII since case inception and his response was no. When RPII
3 communicated with opposing counsel secretary in August, via email, it was disclosed that
4 Kimbrell had held in his possession the copy of the evidence file provided by the AUSA and
5 never tendered a copy to RPII. RPII also inquired as to whether Kimbrell was competent in
6 commercial issues and admiralty/maritime issues he admitted that he was not. Kimbrell was also
7 appointed as a trustee early in the case to assist in settling the penal sum to which he admitted
8 ignorance in said premise.

9 Therefore, RPII must terminate said agreement on the grounds that in the specific points
10 of law involved in settling the Miller Act Penal sums, said counsel would be wholly inadequate
11 much less the finer points of invoking admiralty/maritime procedures in the commercial
12 premises/predicates, securities, public policy, US Treasury issues, SSN Trust res collections, etc.
13 involved in the case 2:09-CR-078.

14 RESPECTFULLY SUBMITTED this 29 September, 2009.

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17 Shawn Talbot Rice, Real Party in Interest,
18 Third Party Intervener, Protected Creditor to
19 Plaintiff by revesting title, Sovereign without
20 subjects, Protected Creditor pursuant to UCC 8,
21 Trust Interest Holder, and Beneficial Owner
22 of the Estate by Statute Merchant, and a Title 18
23 Section 245 Federally Protected Legal & Lawful Municipality.
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25
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CERTIFICATE OF SERVICE

COPY of the forgoing hand delivered, this 1 day of October, 2009, to:

Assistant U. S. Attorney Eric Johnson
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101

Michael Kimbrell, Esq.
523 S. 8th Street
Las Vegas, Nevada 89101-7002

Service performed by:

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